

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:19-cv-01278-RBW**

LEOPOLD et al v. U.S. DEPARTMENT OF JUSTICE et al  
Assigned to: Judge Reggie B. Walton  
Case: 1:19-cv-00810-RBW  
Cause: 05:552 Freedom of Information Act

Date Filed: 05/02/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**JASON LEOPOLD**

represented by **Merrick Jason Wayne**  
LOEVY & LOEVY  
311 N. Aberdeen Street  
Third Floor  
Chicago, IL 60607  
(312) 243-5900  
Fax: (312) 243-5902  
Email: [merrick@loevy.com](mailto:merrick@loevy.com)  
**ATTORNEY TO BE NOTICED**

**Matthew Topic**  
LOEVY & LOEVY  
311 N. Aberdeen Street  
Third Floor  
Chicago, IL 60607  
(312) 243-5900  
Fax: (312) 243-5902  
Email: [matt@loevy.com](mailto:matt@loevy.com)  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**BUZZFEED INC.**

represented by **Merrick Jason Wayne**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Matthew Topic**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**U.S. DEPARTMENT OF JUSTICE**

represented by **Courtney Danielle Enlow**  
U.S. DEPARTMENT OF JUSTICE  
Civil Division, Federal Programs Branch  
1100 L Street NW  
Washington, DC 20005  
(202) 616-8467  
Email: [courtney.d.enlow@usdoj.gov](mailto:courtney.d.enlow@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Elizabeth J. Shapiro**  
U.S. DEPARTMENT OF JUSTICE  
Civil Division, Federal Programs Branch  
1100 L Street, NW  
Washington, DC 20530  
(202) 514-5302  
Fax: (202) 616-8470

Email: [Elizabeth.Shapiro@usdoj.gov](mailto:Elizabeth.Shapiro@usdoj.gov)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Defendant**

**DOJ OFFICE OF ATTORNEY  
GENERAL**

represented by **Courtney Danielle Enlow**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Elizabeth J. Shapiro**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**DOJ DEPUTY ATTORNEY  
GENERAL**

represented by **Courtney Danielle Enlow**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Elizabeth J. Shapiro**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**DOJ OFFICE OF SPECIAL  
COUNSEL**

represented by **Courtney Danielle Enlow**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Elizabeth J. Shapiro**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**FEDERAL BUREAU OF  
INVESTIGATION**

represented by **Courtney Danielle Enlow**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Elizabeth J. Shapiro**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Interested Party**

**CABLE NEWS NETWORK, INC.**  
*Cable News Network, Inc.*

represented by **Charles D. Tobin**  
BALLARD SPAHR LLP  
1909 K Street, NW  
12th Floor  
Washington, DC 20006  
(202) 661-2218  
Fax: (202) 661-2299  
Email: [tobinc@ballardspahr.com](mailto:tobinc@ballardspahr.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
05/02/2019	<u>1</u>	COMPLAINT against DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE ( Filing fee \$ 400 receipt number 0090-6097749) filed by JASON LEOPOLD, BUZZFEED INC.. (Attachments: # <u>1</u> Civil Cover Sheet Civil Cover Sheet, # <u>2</u> Summons Summons)(Topic, Matthew) (Entered: 05/02/2019)
05/03/2019		Case Assigned to Judge Colleen Kollar-Kotelly. (zef, ) (Entered: 05/03/2019)
05/03/2019	<u>2</u>	SUMMONS (7) Issued Electronically as to DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef, ) (Entered: 05/03/2019)
05/09/2019	<u>3</u>	ORDER ESTABLISHING PROCEDURES FOR CASES ASSIGNED TO JUDGE COLLEEN KOLLAR-KOTELLY. Signed by Judge Colleen Kollar-Kotelly on 5/9/19. (DM) (Entered: 05/09/2019)
05/15/2019	<u>4</u>	NOTICE of Appearance by Matthew Topic on behalf of BUZZFEED INC., JASON LEOPOLD (Topic, Matthew) (Entered: 05/15/2019)
05/15/2019	<u>5</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by BUZZFEED INC., JASON LEOPOLD (Topic, Matthew) (Entered: 05/15/2019)
05/23/2019	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DOJ DEPUTY ATTORNEY GENERAL served on 5/14/2019 (Topic, Matthew) (Entered: 05/23/2019)
05/23/2019	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DOJ OFFICE OF ATTORNEY GENERAL served on 5/14/2019 (Topic, Matthew) (Entered: 05/23/2019)
05/23/2019	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DOJ OFFICE OF SPECIAL COUNSEL served on 5/14/2019 (Topic, Matthew) (Entered: 05/23/2019)
05/23/2019	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FEDERAL BUREAU OF INVESTIGATION served on 5/13/2019 (Topic, Matthew) (Entered: 05/23/2019)
05/23/2019	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 05/14/2019. (Topic, Matthew) (Entered: 05/23/2019)
05/23/2019	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/14/2019. Answer due for ALL FEDERAL DEFENDANTS by 6/13/2019. (Topic, Matthew) (Entered: 05/23/2019)
05/23/2019	<u>12</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 5/14/2019 (Topic, Matthew) (Entered: 05/23/2019)
06/13/2019	<u>13</u>	NOTICE of Appearance by Courtney Danielle Enlow on behalf of All Defendants (Enlow, Courtney) (Entered: 06/13/2019)
06/13/2019	<u>14</u>	ANSWER to Complaint by DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L)(Enlow, Courtney) (Entered: 06/13/2019)

06/14/2019	<u>15</u>	ORDER. The parties shall file the schedule not later than <b>JULY 14, 2019</b> . See Order for further details. Signed by Judge Colleen Kollar-Kotelly on June 14, 2019. (lcckk1) (Entered: 06/14/2019)
06/14/2019		Set/Reset Deadlines: Joint Meet & Confer Statement due by 7/14/2019. (dot) (Entered: 06/14/2019)
07/03/2019	<u>16</u>	MOTION to Consolidate Cases <i>with CNN v. FBI, No. 19-1626</i> by DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Enlow, Courtney) (Entered: 07/03/2019)
07/03/2019	<u>17</u>	Memorandum in opposition to re <u>16</u> MOTION to Consolidate Cases <i>with CNN v. FBI, No. 19-1626</i> filed by BUZZFEED INC., JASON LEOPOLD. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Topic, Matthew) (Entered: 07/03/2019)
07/10/2019	<u>18</u>	REPLY to opposition to motion re <u>16</u> MOTION to Consolidate Cases <i>with CNN v. FBI, No. 19-1626</i> filed by DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Enlow, Courtney) (Entered: 07/10/2019)
07/15/2019	<u>19</u>	Memorandum in opposition to re <u>16</u> MOTION to Consolidate Cases <i>with CNN v. FBI, No. 19-1626</i> filed by CABLE NEWS NETWORK, INC.. (Attachments: # <u>1</u> Exhibit A Order in 15-mc-1188)(Tobin, Charles) (Entered: 07/15/2019)
07/15/2019	<u>20</u>	Joint STATUS REPORT by DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Enlow, Courtney) (Entered: 07/15/2019)
07/16/2019	<u>21</u>	SUPPLEMENTAL MEMORANDUM to re <u>19</u> Memorandum in Opposition <i>to Motion to Consolidate</i> filed by CABLE NEWS NETWORK, INC.. (Tobin, Charles) (Entered: 07/16/2019)
07/22/2019	<u>22</u>	REPLY to opposition to motion re <u>16</u> MOTION to Consolidate Cases <i>with CNN v. FBI, No. 19-1626</i> filed by DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Enlow, Courtney) (Entered: 07/22/2019)
08/06/2019	<u>23</u>	NOTICE of Appearance by Merrick Jason Wayne on behalf of BUZZFEED INC., JASON LEOPOLD (Wayne, Merrick) (Entered: 08/06/2019)
08/09/2019	<u>24</u>	NOTICE of Appearance by Elizabeth J. Shapiro on behalf of All Defendants (Shapiro, Elizabeth) (Entered: 08/09/2019)
08/27/2019	<u>25</u>	Partial MOTION for Judgment on the Pleadings by DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order, # <u>3</u> Statement of Facts, # <u>4</u> Exhibit A – Brinkmann Declaration, # <u>5</u> Exhibit B – Hardy Declaration, # <u>6</u> Exhibit C – emails, # <u>7</u> Exhibit D – emails)(Enlow, Courtney) (Entered: 08/27/2019)
09/03/2019		MINUTE ORDER: The Court has received Defendants' <u>16</u> Motion for Consolidation requesting that this case be consolidated with Cable News Network v. Federal Bureau of Investigation, No. 19-cv-1626 (D.D.C.), assigned to Judge Royce C. Lamberth. This case is in the process of being reassigned to Judge Reggie B. Walton, by his consent, as related to his case Electric Privacy Information Center v. United States Department of Justice, No. 19-cv-810 (D.D.C.). Accordingly, Defendants' Motion is DENIED as moot. Signed by Judge Colleen Kollar-Kotelly on September 3, 2019. (lcckk1) (Entered: 09/03/2019)
09/04/2019	<u>26</u>	Case directly reassigned to Judge Reggie B. Walton as there is an earlier related case. Judge Colleen Kollar-Kotelly is no longer assigned to the case. (rj) (Entered: 09/04/2019)

09/05/2019	<u>27</u>	MOTION to Consolidate Cases by DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Enlow, Courtney) (Entered: 09/05/2019)
09/10/2019	<u>28</u>	Memorandum in opposition to re <u>27</u> MOTION to Consolidate Cases filed by CABLE NEWS NETWORK, INC.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(Tobin, Charles) (Entered: 09/10/2019)
09/10/2019	<u>29</u>	Memorandum in opposition to re <u>25</u> Partial MOTION for Judgment on the Pleadings filed by BUZZFEED INC., JASON LEOPOLD. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Statement of Facts Plaintiffs' Response to Defendants' Statement of Facts, # <u>4</u> Text of Proposed Order)(Topic, Matthew) (Entered: 09/10/2019)
09/12/2019	<u>30</u>	ORDER. In accordance with the reasons stated in the attached Order, it is hereby ORDERED that the parties in the above-captioned cases shall appear before the Court on October 1, 2019, at 11:00 a.m. to discuss why these cases should not be consolidated or deemed related. Signed by Judge Reggie B. Walton on September 12, 2019. (lcrbw1) (Entered: 09/12/2019)
09/17/2019	<u>31</u>	REPLY to opposition to motion re <u>27</u> MOTION to Consolidate Cases filed by DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Enlow, Courtney) (Entered: 09/17/2019)
09/17/2019	<u>32</u>	REPLY to opposition to motion re <u>25</u> Partial MOTION for Judgment on the Pleadings filed by DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Enlow, Courtney) (Entered: 09/17/2019)
10/01/2019		Minute Entry; for proceedings held before Judge Reggie B. Walton: Status Conference held on 10/1/2019. Production/Scheduling Order to issue via chambers. Status Conference set for 11/13/2019 at 09:30 AM in Courtroom 16 before Judge Reggie B. Walton. (Court Reporter Cathryn Jones) (hs) (Entered: 10/02/2019)